

District Court of the United States for said district libels for the seizure and condemnation of 9 cases and 13 cases of stringless beans, remaining unsold in the original unbroken packages at Stamford and Danbury, Conn., alleging that the article had been shipped on or about October 20 and September 30, 1921, by the Webster-Butterfield Co., Inc., Baltimore, Md., and transported from the State of Maryland into the State of Connecticut, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Webster's Best Brand Stringless Beans \* \* \* Packed by Webster-Butterfield Co. Inc. Baltimore, Md."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On June 12, 1922, no claimants having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10675. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. 375 Sacks \* \* \* of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16192. I. S. No. 6735-t. S. No. E-3837.)

On April 8, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure for condemnation of 375 sacks of cottonseed meal, remaining in the original unbroken packages at Ayer, Mass., alleging that the article had been shipped on or about March 2, 1922, by Black & Co., Macon, Ga., and transported from the State of Georgia into the Commonwealth of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. Said article was labeled in part, "Thirty Six' Brand Cotton Seed Meal. Manufactured for L. B. Lovitt & Company Memphis, Tennessee, Dallas, Texas."

Adulteration of the article was alleged in the libel for the reason that a substance low in protein and high in fiber had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for the article.

Misbranding was alleged in substance for the reason that the statements, to wit, "Cotton Seed Meal \* \* \* Guaranteed Analysis Protein (Equivalent 7% ammonia) 36.00% \* \* \* Fibre 14.00%," borne and labeled upon the tags attached to the sacks, concerning the amount of protein and fiber in the article, were false and misleading in that said statements represented and guaranteed the article to contain 36 per cent of protein and 14 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it contained 36 per cent of protein and 14 per cent of fiber, whereas, in truth and in fact, said article contained less than 36 per cent of protein and more than 14 per cent of fiber.

On May 2, 1922, the matter having come on to be heard and the J. Cushing Co., Fitchburg, Mass., having filed satisfactory bond in conformity with section 10 of the act, the court found the product to be adulterated and misbranded as alleged, and condemned the same, but ordered that upon payment of the costs of the proceedings the product might be delivered to said claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10676. Misbranding of olive oil. U. S. \* \* \* v. 87 Cans \* \* \* of Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold.** (F. & D. No. 16352. I. S. Nos. 13925-t, 13304-t. S. No. W-1092.)

On May 29, 1922, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 87 cans, more or less, of olive oil, remaining unsold in the original unbroken packages at Cheyenne, Wyo., alleging that the article had been shipped on or about April 15, 1922, from Chicago and transported from the State of Illinois into the State of Wyoming, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Athlete Brand Pure Olive Oil Nasiacos Importing Co., Chicago, Ill."

Misbranding of the article was alleged in the libel for the reason that the statement upon each of 41 cans of said product, "Contents  $\frac{1}{2}$  Gallon" or "60